

Cabinet

COVID-19 RESURGENCE: FIRST REVIEW OF ALERT LEVELS

Proposal

1. This paper reviews what we know so far about the effectiveness of our latest measures against the spread of COVID-19 and proposes a path for the next period.

Summary

2. In line with the plan approved by Cabinet on July 3 and August 10, we imposed a three-day Level 3 restrictions in Auckland at midday on Wednesday August 12 to slow the spread of COVID-19 in that community. We moved to Alert Level 2 in the rest of the country as a precautionary measure, in case the virus had already been spread outside the Auckland region.
3. Our purpose was to slow any undetected transmission while widespread testing of symptomatic people and contact tracing took place to bring together a more accurate picture of the spread of the virus. And by moving fast we aimed to prevent the need to consider broader national lockdown.
4. This paper reviews progress and provides options for next steps.
5. As at 10am on August 14, we have discovered 30 confirmed and probable cases outside of MIQ, all of whom are isolated and only a small number of whom so far have required any hospital-level care. All have been found by contact tracing and 29 are confirmed to be part of a single cluster, with one under investigation. All but two cases are in the Auckland region, with the remainder in the Waikato. None are in aged care facilities.
6. These are good signs that we have found this outbreak relatively early in its life, but there is also some cause for concern. By way of examples, one confirmed case visited a rest home in Morrinsville, and a probable case is immunosuppressed. New cases could emerge from these contacts. On average it takes five days from exposure to showing any symptoms for those who are not asymptomatic.
7. There are also important elements that remain uncertain. We do not yet know the source of the outbreak. Contact tracing and genomic testing have not yet found a link to an MIQ facility, but it remains a possibility. Another possibility is that the virus was carried across the maritime border but no cases have been linked to the border at present. Testing at the border continues, but at this stage the majority of staff facing travellers have been tested.
8. Given the speed of the response, new information will continue to flow through up to the time Cabinet meets. The Director-General will provide his final assessment and advice before that meeting, but separately from this paper.
9. It is difficult to come to judgements given the current state of information. This paper presents three options for consideration, two of which involve holding our current position for an additional period:
 - a. Option A: Maintain current settings for a further 12 days taking us to two weeks of controls in total, with a Cabinet review on Wednesday – It is very early in

terms of our understanding of this outbreak. While the regional spread is limited and case numbers are relatively low so far, we have not yet identified all cases or isolated a source. Some infected individuals have left Auckland and exposed people in other parts of New Zealand. This is the preferred option of the Director-General of Health.

- b. Option B: Loosen controls outside of Auckland – We could move the rest of the country back to Alert Level 1 while leaving Auckland at Level 3 for a further 7 days. Given the absence of positive tests outside of Auckland apart from two linked cases in Waikato (with one under investigation), and the fact that movement out of Auckland is now constrained (albeit with exceptions), the risk to the population outside Auckland is reduced. But this option would put more pressure on the Auckland boundary, and raises the risk of spreading the virus from those crossing it each day.
 - c. Option C: Hold as we are until Friday August 21 – We would keep existing Level 3 controls in Auckland and Level 2 controls elsewhere in place, and reconsider the position on Friday in light of what we learn over the week. In particular, this would enable more time to contact all close contacts of confirmed cases, and determine the perimeter of the cluster we have.
10. For Option A, the next check in would be at Cabinet on Wednesday August 26. For Options B or C we would check in next week, on Friday August 21. The existing Order continues in force and does not expire at midnight tonight (with the exception of one minor provision). This means that there is no immediate pressure to put new arrangements in place.
 11. The Ministers of Finance and Social Development are considering what further fiscal support for affected businesses and individuals might be required. Our experience so far is that the cheapest response overall is a strong and early health response.
 12. While there is some uncertainty about the shape of the situation we are in right now, we also know how to eliminate the virus. Whichever option we choose, we need to continue calmly to limit the ability of the virus to spread, and we will in time successfully stamp it out again.

Introduction

13. This paper has three main parts:
 - a. A reminder of the eight factors we use to make Alert Level decisions,
 - b. A situation report against those eight factors, including the initial views of the Director-General, and
 - c. A consideration of some options for the next phase.

How we make Alert Level decisions

14. Cabinet has previously agreed to use eight factors to guide decisions on the appropriate Alert Level settings for New Zealand [CAB-20-MIN-0199; CAB-20-MIN-0387]:
 - a. the Director-General of Health's satisfaction on four health matters:
 - i. trends in the transmission of the virus, including his confidence in the data and having regard to the risk assessment levels agreed by Cabinet;
 - ii. the capacity and capability of our testing and contact tracing systems;

- iii. the effectiveness of our self-isolation, quarantine and border measures; and
 - iv. the capacity in the health system more generally to move to the new Level
- b. evidence of the effects of the measures on the economy and society more broadly;
 - c. evidence of the impacts of the measures for at risk populations in particular;
 - d. public attitudes towards the measures and the extent to which people and businesses understand, accept and abide by them; and
 - e. our ability to operationalise the restrictions, including satisfactory implementation planning.
15. Last week Cabinet agreed the following risk assessments as being the thresholds to inform decisions on moving between Alert Levels [CAB-20-MIN-0367 refers]:

| Alert Level | Risk assessment |
|--------------------|---|
| | The Director-General of Health is satisfied that there is sufficient data from a range of sources to have reasonable certainty that there is/are: |
| Level 4 | <ul style="list-style-type: none">• Sustained and intensive community transmission• Widespread outbreaks |
| Level 3 | <ul style="list-style-type: none">• Multiple cases of community transmission occurring• Multiple active clusters in multiple regions |
| Level 2 | <ul style="list-style-type: none">• Limited community transmission occurring• Active clusters in more than one region |
| Level 1 | <ul style="list-style-type: none">• COVID-19 is uncontrolled overseas• Sporadic imported cases• Isolated local transmission could be occurring in New Zealand |

16. These risk assessments can be applied at a local or national level, with appropriate flexibility and judgement. In general, it will make sense to have a lower risk tolerance when applying Alert Levels at a local level, particularly where we are now in the immediate response phase, as we ascertain the scope of the situation.
17. In determining what comes after this immediate response phase, we are particularly interested in:
- a. the connection of the cases to a known source at the border;
 - b. the number of cases and close contacts; and
 - c. the geographic spread of cases, including across regions.

Situation report

18. Our COVID-19 strategy remains elimination. We have made good progress but implicit in the concept of elimination is the need to stamp it out repeatedly every time it comes back. This is the first time the virus has re-emerged in the community. We should not expect it to be the last. We have seen the very significant economic and health

benefits available from eliminating the virus, and we must work hard together to eliminate it again.

19. As at 10am on August 14, there are 30 identified cases of COVID-19 beyond MIQ, including probable cases. As mentioned above, 29 of these can be linked epidemiologically to a single case confirmed on 11 August, and therefore can be considered part of one cluster. One new case in the past 24 hours remains under investigation. Of the 30, 28 cases are in the Auckland region, with two linked cases confirmed in Waikato. No other cases have been confirmed in other regions of New Zealand. Additional results of community testing in other regions will continue to become available in the next 24 hours. Until further results are confirmed, the Director-General cannot be confident that further cases do not exist outside of the Auckland region. And we are yet to discover the source of the original outbreak.
20. Based on the limited information we currently have, this outbreak fits the definition of Level 3 in Auckland, with multiple cases of community transmission, albeit in a single cluster. In the absence of confirmed or probable cases outside of Auckland, the rest of the country best fits in the definition of Alert Level 1, with sporadic imported cases captured at MIQ. However, this may evolve as further information comes to light and the balance of risk currently points to uncovering further cases and spread.
21. In terms of the other elements of the eight factors:

Health factors

- a. The Director-General is satisfied that there is sufficient capacity in testing and contact tracing to respond to the current outbreak and a surge in demand. More than 15,000 tests were performed in the past 24 hours, and there is sufficient stock for a further 275,000 tests. Contact tracing capacity is sufficient to manage 350 cases per day, and meets the WHO's guidelines for responsiveness, testing speed and notification of results. There were more than 100,000 additional registrations on the Government's COVID-19 app on August 12, taking the total registrations to over 750,000. There is high demand for Healthline.
- b. Although we cannot be certain of the source of the new outbreak, in principle border measures remain robust and there is no evidence of systematic failure. Demand for voluntary testing and telephone consultations in the past 24 hours demonstrates that the public continues to take the situation seriously where the risk is clear.
- c. The health system has sufficient capacity, including workforce and ICU capacity, to respond to COVID-19 and has identified surge capacity and contingency plans, and there is sufficient PPE capacity for those for whom it is recommended.
- d. The Director-General perceives particular risks in the possibility of spread outside Auckland, and that thus far the source is unknown. He anticipates that results of wider community testing in other regions will be available in the next 24 hours. But until further results are confirmed, he cannot be confident that cases do not exist outside of this cluster or the Auckland region.
- e. Genomic testing of the first four new community cases of COVID-19 at this stage suggests no clear link to known cases of COVID-19 which have occurred in managed isolation or quarantine facilities. We are continuing to investigate the possible source of this new infection.

Economic and fiscal factors

- f. Treasury estimates that the economy operates at about 80 per cent of its usual capacity in Level 3 restrictions (and closer to 60% at Level 4). The Auckland economy makes up about 38 per cent of New Zealand's total GDP, but is proportionally more affected by restrictions than the country as a whole due to a lower dependence on primary industries and a higher dependence on goods and services. One estimate, from ASB, suggests that a Level 3 restrictions in Auckland combined with Level 2 controls in the rest of the country might be equivalent to a 0.15 per cent reduction in national GDP per week, or an 8 per cent reduction on an annual basis.
- g. Level 3 does enable a lot more economic activity than Level 4. At Level 3, businesses that can operate safely can operate, which is much broader than the "essential services" rules of Level 4. Freight and goods can continue to flow at either Level. The movement of people across the Auckland boundary is the subject of a separate policy process.
- h. The shorter-term economic costs of higher Alert Levels need to be considered against the alternative scenario of **not** successfully stamping out the resurgence. Without stricter measures now, we could end up with a similar choice later to enter lockdown, but with a much wider and uncontrolled outbreak, and consequently potentially much higher economic costs for a longer period. Our elimination strategy is based on the logic that a strong health response is the best way of minimising the overall economic costs.
- i. Policy work on economic support for affected households and businesses is being carried out in parallel to this paper. Options being considered include possible extensions of the wage subsidy scheme, the small business cashflow loan scheme and the COVID-19 leave scheme.
- j. While economic support measures increase the short-term fiscal costs of lockdown, they are crucial to support employment and economic activity. Not only is this support important to the wellbeing of New Zealanders during lockdown, it also means that our economy can bounce back more quickly afterwards.
- k. As a general rule, the primary sector performed exceedingly well through lockdown earlier in the year, and the same systems and disciplines that were in operation through the March to May lockdown are kicking into gear now where they are needed. MPI has had a number of discussions with sector leaders in recent days and these discussions have gone well.

At risk populations

- l. The emergence of cases in South Auckland was the risk that many Māori and Pacific communities were most worried about. Overcrowding and larger households create optimal conditions for infection to spread within households. Pacific peoples, Māori, and others in South Auckland have a higher likelihood of existing health conditions which increase the risk and severity of infection. Providing options for people to isolate away from other family members will assist to prevent spread (such as quarantine facilities where there is capacity).
- m. Making sure key messages are reaching people in South Auckland will be critical. A simple message like "do not go to work if you are sick and get a test, and there is government financial support available if you have to stay at home when you are sick" will help. We cannot assume that the usual government channels will always be effective. Clear messaging will be really important for low

income families including workers who are still required to work, and getting the word out requires people who know South Auckland and have existing relationships with people who can carry messages into the communities in multiple languages. Mobile testing and pop up options will support people to be able to be tested (these were effective at earlier stages of the pandemic).

- n. It will also be important to use the Office for Seniors and Office of Ethnic Communities' networks to ensure key messages are reaching older people and ethnic communities, where lack of digital access or language may be barriers.
- o. The Caring for Communities workstream is ramping back up, and government agencies in Auckland are working closely with the Council on localised supports. There will be lots of community services who will want to contribute to this effort.
- p. The key issues for the disability community are accessible communications and distribution of PPE for support workers. Accessible communications have been reloaded onto the website and there is an All of Government accessible communications team (including Disabled People's Organisations) on stand-by to develop and translate new messages. There will also be a need to keep providing accessible communications for all disabled people about what is happening, not just those in Auckland. The Ministry of Health is working on the processes for PPE, and is more confident about distribution to providers and disabled people on individualised funding, with no issues raised about availability at this stage.

Public attitudes and compliance

- q. Broadly speaking, we have seen public support for the rapid move to Level 3. There has been some early social media commentary reflecting frustration and nervousness especially in Auckland. There has been a significant increase in demand on supermarkets in the Auckland region.
- r. Population movement information drawn from anonymised smartphone data shows a 30 per cent reduction in driving in Auckland and a 64 per cent reduction in public transport use on Wednesday August 11 compared with the previous Wednesday.
- s. The primary enforcement has been the operation of Police checkpoints around Auckland. There has been significant effort here, with around 25,000 vehicles stopped in the first 26 hours, with only about 500 vehicles turned around for not having a legitimate reason to cross the boundary under the terms of the Order. This suggests a high level of compliance. Police considers that the public response has been generally understanding, though with some understandable frustration around early wait times of several hours. Police resources are being supplemented by NZDF, but even with that this work is resource intensive.
- t. There are some anecdotal reports of people trying to avoid checkpoints and seeking different routes. Police is alive to this. There are a wide variety of reasons for travel that are permitted, and variable evidence is being made available by those travelling. Judgment and interpretation are required in each case. That is expected to lead to some questions of consistency across different officers and checkpoints.
- u. Outside of checkpoints, enforcement has been fairly low key with 41 reports of suspected breaches to the 105 Number within the first 12 hours. Beyond the Auckland area, Police has little to report.

- v. Neither WorkSafe nor MBIE Employment Services are experiencing a sudden surge of notifications or referrals. Engagements with business and union leaders have not revealed significant issues where workers are being put at risk or businesses don't understand what is required. These observations apply to both Auckland and the Alert Level 2 areas.

Our ability to operationalise the restrictions

- w. From an enforcement perspective, the complexity of the approach as it develops will be driven heavily by the volume of exceptions, the extent to which those require interpretation, and decisions about the physical boundaries. The current boundaries have a fairly high degree of commuter traffic in ordinary times, and so carry an inherent degree of complexity, particularly when coupled with a complex exemption environment. In considering next steps, to the extent that there is a geographic split ease of implementation should be an area of particular focus. Notably, the Waikato is a much more difficult area to fence off than is Auckland.
- x. The response over the last three days from the education sector in Auckland and the rest of the country has been immediate, fast, and professional. All parts of the education sector have a good understanding of the response that is required at different Alert Levels. In Auckland, schools and early learning services have implemented a shift to Level 3 in a matter of hours, and several schools have worked with Auckland Public Health on contact tracing and school cleaning, due to a student having a positive test or being a close contact of someone who has tested positive. We anticipate that very few students attended an Auckland school or early learning service over the last three days, although they were open for children and young people without a caregiver at home. Schools in Auckland are also concerned about increased student anxiety, particularly for those who are facing external exams soon. There has been feedback that attendance may also be reduced outside of Auckland.
- y. Guidance and FAQs for the education sector are being updated to reflect advice on face coverings at different Alert Levels. The Ministry is doing the preparatory work to stand up distance learning and childcare for essential workers at Alert Level 4 in case it is required. The uptake for childcare for essential workers was low last time, and individual households might make different decisions around their bubbles based on previous experience at Level 4, but the Ministry is working on home-based options for people who cannot organise alternatives. Some funding will be required for this if it is needed.

Options

- 22. We provided some examples in examples in the Rapid Response Cabinet paper considered on Monday August 10 of potential responses after a first investigation phase. Based on the limited data at this point, we best meet the example of a single cluster of connected cases in a region, with no evidence of wider spread in the region and no cases in other regions. This implies that Auckland should stay at Alert Level 3, and there would be scope to reduce to Level 2 once the cluster is contained. And the rest of the country could move at Alert Level 1.
- 23. That said, data from testing is still coming in, contact tracing continues, and we do not yet know the original source of the infection. The position will evolve as further information comes to light. The balance of risk at this stage is to the downside.
- 24. This paper therefore presents three options, with our choice depending on our views of the remaining uncertainties:

- a. Option A: Maintain current settings for an additional 12 days (total 14 days of Alert Level 3 controls in Auckland and Level 2 controls elsewhere), while we continue to contain the perimeter of this cluster.
 - b. Option B: Loosen controls to Alert Level 1 outside of Auckland, while remaining at Alert Level 3 in Auckland for the next seven days.
 - c. Option C: Extend existing controls for an additional seven days, until Friday August 21 and then reconsider the position based on the information that has come in in the meantime.
25. For Option A, we would reconsider this issue at Cabinet on Wednesday August 26. For Options B or C, we would reconsider the issue at a meeting of Cabinet in one week, on August 21.

Option A (preferred by the Director-General of Health)

26. This option maintains the status quo for a full two weeks, bringing us to a complete transmission cycle of the virus under current Alert Level settings.
27. Based on the known spread of COVID-19, we expect to see additional cases. It is likely to be several days before the extent of the current cluster is known and before we can have confidence as to whether the outbreak extends beyond this cluster. Maintaining current Alert Levels for a total of two weeks is consistent with what we know about the COVID-19 infection cycle.
28. Maintaining Level 2 controls outside of Auckland is precautionary as many people who were in Auckland and potentially exposed to the virus will have subsequently returned home outside the Auckland region, and some level of increased control might be thought appropriate to limit the extent to which any future infections can spread. We now have evidence of some limited spread outside Auckland, which is related to the Auckland-based cluster.
29. The social and economic costs of ongoing higher levels of control, especially those in Auckland, are significant. These need to be weighed against the risks inherent in the uncertainty of our present situation as we continue to trace back infections and build the picture of the situation in which we find ourselves.

Option B

30. This option maintains the status quo in Auckland for seven days, but moves the remainder of the country down to Alert Level 1.
31. This option makes sense if we emphasise the fact that we haven't seen any cases outside of Auckland and the linked cases in the Waikato and that we have put in place controls to reduce inter-regional movement and limit the risk of wider spread. It would balance the economic and social costs of the restrictions of Level 2 against the small risk of emergence of the virus, particularly in areas very distant from Auckland, based on what we know so far.
32. There are risks in this option though. The first confirmed cases are very recent. We may yet see cases emerge in other regions. Results from the large numbers of tests in the community will continue to come in. This option would also put more pressure on the Auckland boundary, including on Police enforcement, since people would be moving between Alert Level 3 and Alert Level 1 controls. It runs the risk of further spread from Auckland to adjacent regions, noting that we have already seen our first cases in the Waikato.

Option C

33. This option maintains the status quo but for a much shorter period of time until Friday August 21, keeping our choices open and giving more time over the coming days for test results to come in and for more complete tracing of contacts of our existing confirmed cases. If we form the view that the outbreak is limited to a single cluster and is contained to Auckland, then we could look to reduce restrictions more quickly. On the other hand, as more test results come in, we may discover new clusters or cases in other regions, which would be a signal for stronger controls.
34. Important elements that we would have more information on by next Friday that could inform how we talk about this extension publicly include:
 - a. The results of tracing all close contacts of confirmed cases
 - b. The results of testing all workers across all shifts beyond frontline staff and at the border
 - c. More results from the heightened level of community testing across the country that we expect to see in the coming days, and from all that
 - d. Greater clarity on whether this is a single cluster, or whether it is a more extensive outbreak.
35. These matters may not be fully resolved by next Friday though we will have some improved information by then.

Trade-offs and choices

36. Option A maintains the precautionary approach currently in place outside of Auckland while giving us some substantial time to more fully understand the outbreak. Option B trades off a slightly higher risk outside of Auckland against a lower social and economic cost there and a shorter review period. Option C defers a decision for one week to allow for slightly better information.
37. There is nothing to preclude further decisions in the days to come if relevant information were to come to hand. For example, if Option A were preferred but an outbreak was discovered early next week in another part of the country then it would be prudent to consider whether to change the Alert Level for that part of the country prior to August 26.

Other issues

38. The Director-General does not see a good argument at this stage for tightening of controls further to Alert Level 4 in Auckland. The number of cases does continue to grow but so far they are all connected to a single cluster (with one under investigation) and we expect that Level 3 controls will already be sharply reducing transmission of the virus. It is not operationally feasible to lock down some parts of Auckland more tightly than others.
39. There are also a range of issues about the porousness of the Auckland boundary to consider. In particular, the previous Level 3 controls included a range of exemptions to the restrictions on inter-regional travel to an adjacent region that have not been replicated in the new Order. The context is different with adjacent regions operating under lesser restrictions. AOG officials are leading a policy process to develop drafting instructions for a revised Order, with a paper coming to Cabinet alongside this one.

40. Policy work is also underway, led by Treasury, on possible adjustments to the Alert Level rules to ensure that we are not incurring unnecessary economic costs while still achieving the desired health outcomes.

Financial Implications

41. Moving up Alert Levels reduces economic activity as mentioned above, and this will impact on tax revenues.
42. Policy work on support for households and businesses affected by any increase in Alert Levels is being carried out in parallel to this paper. Any costs would be met from the \$14 billion that the Government set aside from the COVID Response and Recovery Fund to help manage the costs of a potential resurgence.

Legislative Implications

43. The Minister of Health will consider whether replace or amend the Order under s11 of the COVID-19 Public Health Response Act 2020 that has put in place the current Alert Level controls.
44. Before making a replacement Order, the Minister of Health must have regard to the Director-General's advice about the risks of the outbreak or spread of COVID-19, and the nature and extent of any measures that are appropriate to address those risks. The Minister may also have regard to Cabinet's decision on the level of public health measures appropriate to respond to those risks and avoid, mitigate, or remedy the effects of the outbreak or spread of COVID-19.
45. The Act requires that there be 48 hours between notifying the Order and its coming into force. This requirement does not apply in the case of urgency, where the Order is made "to prevent or contain the outbreak or spread". This condition will not be met where restrictions are relaxed. So, for example, implementing Option B (to move to Alert Level 1 outside of Auckland) would require 48 hours between the Minister's decision being published and notified, and its coming into force.
46. The existing Order does not expire, apart from the temporary permission to leave the Auckland area to get home by land which lapses at midnight at Friday. This means that the existing Order can continue in place until a new Order is drafted to reflect any decisions taken by Cabinet. An exemption process is underway to consider extending the expiring provision for those who need to leave the Auckland area to get home, and for those transitioning through Auckland to return home to Northland or Waikato.

Impact Analysis

47. This paper has been prepared at very short notice and there has not been time to undertake an Impact Analysis.

Human Rights

48. The human rights implications of the controls in place to slow the spread of COVID-19 are significant and have been set out in detail in previous papers on Alert Level decisions [CAB-20-MIN-0161, CAB-20-MIN-0176].
49. Relevant departments and the Solicitor-General will continue to keep any remaining restrictive measures under review to ensure that they remain necessary and are implemented in a way that is consistent with the New Zealand Bill of Rights Act.

Population impacts

50. Population impacts are explored in this paper at paragraph 21.

Consultation

51. This paper was prepared by the Department of the Prime Minister and Cabinet (Policy Advisory Group), working with the All of Government COVID-19 unit. The Ministries of Health, Business, Innovation and Employment, Education, Foreign Affairs and Trade, Social Development, Transport and Primary Industries, the Treasury, the State Services Commission, Crown Law and my Chief Science Advisor were sent a copy at the same time that it went to Ministers.
52. Throughout the COVID response iwi have played a crucial role in supporting the Government. Continued engaged with iwi will be vital going forward, including to ensure the Crown meets its obligations under Te Tiriti o Waitangi. Te Arawhiti should play the lead role in these engagements and the Minister for Māori Crown Relations Te Arawhiti will oversee it.

Communications

53. I will communicate the decisions set out in this paper after Cabinet agreement. Communications will be co-ordinated with the Government's broader communications around its COVID-19 response.

Proactive Release

54. I intend to proactively release this Cabinet paper following Cabinet consideration.

Recommendations

55. The Prime Minister recommends that Cabinet:
 1. **note** that we re-introduced Alert Level controls from midday on Wednesday August 12 for a short period while we gathered more information, in line with Cabinet's agreed Rapid Response plan;

Situation

2. **note** that the Director-General of Health is satisfied that:
 - 2.1. As of 10am on 14 August, all but one identified case of suspected community transmission of COVID-19 can be linked epidemiologically to a single case confirmed on 11 August, and therefore can be considered part of one cluster, with the other case under investigation;
 - 2.2. There is sufficient capacity in testing and contact tracing to respond to the current outbreak and a surge in demand;
 - 2.3. Although we cannot be certain of the source of the new outbreak, in principle border measures remain robust and there is no evidence of systematic failure;
 - 2.4. The health system has sufficient capacity, including workforce and ICU capacity, to respond to COVID-19 and has identified surge capacity and contingency plans; there is sufficient PPE capacity for those for whom it is recommended;
3. **note** that the Director-General sees risks in the possibility of spread outside Auckland, which has not yet been excluded as a possibility, and the fact that thus far the source of the infection is unknown;
4. **note** that Cabinet may decide the appropriate level of public health measures to avoid, mitigate, or remedy the effects of the outbreak or spread of COVID-19 (taking into account the social, economic, or other factors) and to that end;

Options

EITHER (Option A) (Preferred by the Director-General of Health)

5. **agree** to keep Auckland at Alert Level 3 and all other regions at Alert Level 2 effective from 11:59pm on Friday, August 14 for a further period of 12 days;
6. **agree** that Cabinet will again consider these Alert Level matters not later than Wednesday August 26;

OR (Option B)

7. **agree** to move to Alert Level 1 in all regions other than Auckland while keeping Auckland at Alert Level 3 effective from 11:59pm on Friday, August 14 for a period of seven days;
8. **agree** that Cabinet will again consider these Alert Level matters not later than Friday August 21;

OR (Option C)

9. **agree** to keep Auckland at Alert Level 3 and all other regions at Alert Level 2 effective from 11:59pm on Friday, August 14 for a period of seven days;
10. **agree** that Cabinet will again consider these Alert Level matters on Friday August 21, with the benefit of information that will emerge over the coming week;

AND (for all options)

11. **note** the Minister of Health, in making any changes to the current Order under s11 of the COVID-19 Public Health Response Act 2020, will have regard to Cabinet's decisions and further comments from Ministers arising out of consultation, as well as considering what is appropriate to achieve the purpose of the Act;
12. **note** that we will continue to monitor our situation closely and make adjustments quickly if necessary;

National and regional engagement with Māori

13. **note** that iwi continue to play a critical role in the COVID-19 response, including the recent resurgence;
14. **agree** that the Minister for Māori Crown Relations: Te Arawhiti should be the lead Minister for the oversight of the Māori Crown relationship through the response, and will lead engagement with:
 - 14.1. the National Iwi Chairs' Forum Pandemic Response Group;
 - 14.2. a Tāmaki Makaurau Māori Collective group of iwi, urban authorities, Whānau Ora providers and non-Government organisations; and
 - 14.3. any other iwi Māori Groups as required;
15. **agree** that the Office for Māori Crown Relations: Te Arawhiti should play a key role (including coordination) at the senior official level to support this engagement;
16. **note** that the Ministers for Māori Crown Relations: Te Arawhiti, Māori Development, Whānau Ora, and Employment, along with other Ministerial portfolios as necessary, will engage with both groups regularly;

Other matters

17. **agree** that Cabinet's decisions today will be communicated by the Prime Minister.

Rt. Hon. Jacinda Ardern
Prime Minister

Proactively Released



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

COVID-19 Resurgence: First Review of Alert Levels

Portfolio Prime Minister

On 14 August 2020, Cabinet:

Background

- 1 **noted** that on 11 August 2020, the group of Ministers with Power to Act on COVID-19 matters agreed to reintroduce Alert Level controls from midday on Wednesday, 12 August 2020 for a short period while more information was gathered, in line with Cabinet's agreed Rapid Response Plan [CMG-20-MIN-0001];

Situation

- 2 **noted** that the Director-General of Health is satisfied that:
 - 2.1 as of 10am on 14 August 2020, all but one identified case of suspected community transmission of COVID-19 can be linked epidemiologically to a single case confirmed on 11 August 2020, and therefore can be considered part of one cluster, with the other case under investigation;
 - 2.2 there is sufficient capacity in testing and contact tracing to respond to the current outbreak and a surge in demand;
 - 2.3 although the government cannot be certain of the source of the new outbreak, in principle border measures remain robust and there is no evidence of systematic failure;
 - 2.4 the health system has sufficient capacity, including workforce and ICU capacity, to respond to COVID-19 and has identified surge capacity and contingency plans, and that there is sufficient PPE capacity for those for whom it is recommended;
- 3 **noted** that the Director-General of Health sees risks in the possibility of spread outside Auckland, which has not yet been excluded as a possibility, and the fact that thus far the source of the infection is unknown;
- 4 **noted** that Cabinet may decide the appropriate level of public health measures to avoid, mitigate, or remedy the effects of the outbreak or spread of COVID-19 (taking into account the social, economic, or other factors); and to that end

- 5 **agreed** to keep Auckland at Alert Level 3 and all other regions at Alert Level 2 effective from 11:59 pm on Friday, 14 August 2020, for a further period of 12 days, until 26 August 2020, with a check in on progress by Cabinet on Friday, 21 August 2020;
- 6 **agreed** that Cabinet will again consider the Alert Levels on Monday, 24 August 2020;
- 7 **noted** that the Minister of Health, in making any changes to the current Order under section 11 of the COVID-19 Public Health Response Act 2020, will have regard to Cabinet's decisions and further comments from Ministers arising out of consultation, as well as considering what is appropriate to achieve the purpose of the Act;
- 8 **noted** that the government will continue to monitor the situation closely and make adjustments quickly if necessary;

National and regional engagement with Māori

- 9 **noted** that iwi continue to play a critical role in the COVID-19 response, including the recent resurgence;
- 10 **noted** that the Minister for Māori Crown Relations: Te Arawhiti is the lead Minister for the oversight of the Māori Crown relationship through the response, and will lead engagement with:
- 10.1 the National Iwi Chairs' Forum Pandemic Response Group;
 - 10.2 a Tāmaki Makaurau Māori Collective group of iwi, urban authorities, Whānau Ora providers, and non-government organisations;
 - 10.3 any other iwi Māori groups as required;
- 11 **noted** that the Office for Māori Crown Relations: Te Arawhiti is playing a key role (including coordination) at the senior official level to support this engagement;
- 12 **noted** that the Ministers for Māori Crown Relations: Te Arawhiti, Māori Development, Whānau Ora, and Employment, along with other Ministers as necessary, will engage with both groups regularly.

Michael Webster
Secretary of the Cabinet